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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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32605 7590 10/03/2007  
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IQBAL, KHAWAR

ART UNIT

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2617

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/733,927	JEONG ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Khawar Iqbal	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 21 August 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-39 is/are pending in the application.
- 4a) Of the above claim(s) 27-39 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner: Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-26 are rejected under 35 U.S.C. 102(e) as being anticipated by Comp (20040203698).

Regarding claim 1 Comp teaches a method of enabling channel scanning in a wireless station, said method comprising (figs. 1-5):

receiving from an access point data provided to indicate a possibility of regulatory domain change (para. # 0021-0022 and 0025); and

after a connection with the access point is terminated selecting a channel scanning method based upon said data (para. # 0021-0022 and 0025).

Regarding claim 2 Comp teaches wherein said data indicates whether there is a possibility of domain change (para. # 0021-0022, 0025).

Regarding claim 3 Comp teaches wherein said data is based on geographic information of the access point (para. # 0021-0022 and 0025).

Regarding claim 4 Comp teaches wherein said data is based on proximity information of the access point related to a predetermined point (para. # 0021-0022).

Regarding claim 5 Comp teaches wherein said data is based on maximum coverage area and geographical information of the access point (para. # 0021-0025).

Regarding claim 6 Comp teaches wherein said selecting a channel scanning method comprises selecting a safe channel scanning method if there is a possibility of regulatory domain change (para. # 0021-0022 and 0025).

Regarding claim 7 Comp teaches wherein said selecting a channel scanning method comprises selecting an active channel scanning method if there is no possibility of regulatory domain change (para. # 0021-0022 and 0025).

Regarding claim 8 Comp teaches a method of enabling channel scanning in a wireless station, said method comprising (figs. 1-4):

establishing communication between said wireless station and an access point (para. # 0021-0022 and 0025); receiving information in a lifetime field provide to a period of time during which regulatory domain information could be used after the communication between said wireless station and said access point has been lost (para. # 0021-0022 and 0025); and determining whether an elapsed period of time after the communication between said wireless station and said access point has been lost is greater than the period of time in said lifetime field (para. # 0021-0022 and 0025).

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Regarding claim 9 Comp teaches wherein said receiving information comprises obtaining the shortest distance from a regulatory domain boundary to an edge of the coverage area of the access point (para. # 0021-0022 and 0025).

Regarding claim 10 Comp teaches further comprising obtaining a speed of said wireless station (para. # 0021-0022 and 0025).

Regarding claim 11 Comp teaches further comprising selecting a safe channel scanning method if the elapsed period of time is greater than the period of time in said lifetime field (para. # 0021-0022 and 0025).

Regarding claim 12 Comp teaches further comprising determining whether there is a possibility of regulatory domain change (para. # 0021-0022 and 0025).

Regarding claim 13 Comp teaches further comprising performing safe channel scanning if there is a possibility of regulatory domain change (para. # 0021-0022 and 0025).

Regarding claim 14 Comp teaches a method of enabling channel scanning in a wireless station, said method comprising (figs. 1-5): determining if a channel of a plurality of available channels is a domain-independent channel; and actively scanning the domain-independent channel (para. # 0011-0014, 0021-0022 and 0025).

Regarding claim 15 Comp teaches further comprising receiving a pre-alert field (para. # 0011-0014, 0021-0022 and 0025).

Regarding claim 16 Comp teaches further comprising performing an active channel scan if valid regulatory domain information is identified during scan of the domain-independent channel (para. # 0011-0014, 0021-0022 and 0025).

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Regarding claim 17 Comp teaches a wireless station adapted to scan for channels in a wireless communication network, said wireless station comprising (figs. 1-5):

a receiver for receiving a data block, wherein said data block comprises a regulatory domain change pre-alert field (para. # 0011-0014, 0021-0022 and 0025); a controller coupled to said receiver, said controller selecting a channel scanning method based upon data in said domain change pre-alert field (para. # 0011-0014, 0021-0022 and 0025); and a transmitter coupled to said controller (para. # 0011-0014, 0021-0022 and 0025).

Regarding claim 18 Comp teaches wherein said domain change pre-alert field comprises a bit indicating whether there is a possibility of regulatory domain change (para. # 0011-0014, 0021-0022 and 0025).

Regarding claim 19 Comp teaches wherein the transmitter transmits a probe frame if said regulatory domain change pre-alert field is not set (para. # 0011-0014, 0021-0022 and 0025).

Regarding claim 20 Comp teaches wherein said domain change pre-alert field is sent in a beacon frame (para. # 0011-0014, 0021-0022 and 0025).

Regarding claim 21 Comp teaches wherein said domain change pre-alert field is sent in a probe response frame (para. # 0011-0014, 0021-0022 and 0025).

Regarding claim 22 Comp teaches a wireless station adapted to scan for channels in a wireless communication network, said wireless station comprising (figs. 1-5):

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a receiver for receiving a data block, wherein said data block comprises a lifetime field related to the extent of a regulatory domain (para. # 0011-0014, 0021-0022 and 0025); a controller coupled to said receiver, said controller selecting a channel scanning method based upon data in said lifetime field; and a transmitter coupled to said controller (para. # 0011-0014, 0021-0022 and 0025).

Regarding claim 23 Comp teaches wherein the controller selects a safe channel scan method if said lifetime field has expired (para. # 0011-0014, 0021-0022 and 0025).

Regarding claim 24 Comp teaches wherein said lifetime field is based upon a maximum handover time (para. # 0011-0014, 0021-0022 and 0025).

Regarding claim 25 Comp teaches wherein said lifetime field is based on a shortest distance from a regulatory domain boundary to an edge of the coverage area of an access point (para. # 0011-0014, 0021-0022 and 0025).

Regarding claim 26 Comp teaches wherein said lifetime field is based upon a maximum speed of said wireless station (para. # 0011-0014, 0021-0022 and 0025).

### ***Response to Arguments***

3. Applicant's arguments filed 8-21-07 have been fully considered but they are not persuasive. Examiner has thoroughly reviewed applicant's arguments but firmly believes the cited reference to reasonably and properly meets the claimed limitations. Applicant's argument was that "However, Comp provides no teachings regarding regulatory domains". In paragraphs 0021-0022, Comp teaches that when the signal strength of a connection between wireless access point and

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mobile device falls within a first predetermined range it notifies this falling information to a mobile user. Comp further teaches that the system initiates a search for an alternate access point capable of supporting a network connection for the user device. It clearly means that the position of user device is now **changed** from the access point to alternate access point i.e. regulatory domain change.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., page 4, "Contrary to the Examiner's contention, Comp neither discloses nor suggests providing from an access point data indicative of a regulatory domain change. As Applicants explain in Applicants' Specification, on page 1, at paragraph [03], a regulatory domain is a domain governed by regulations established by a regulatory entity, such as a government of a nation:) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

### ***Conclusion***

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory

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period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khawar Iqbal whose telephone number is 571-272-7909.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on (571) 272-7495. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/customer service whose telephone number is (571) 272-2600.

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*Khawar Iqbal*

  
GEORGE ENG  
SUPERVISORY PATENT EXAMINER